

MAY 16, 1950

Robert Shepherd, 9th District, MOVED that a sufficient number of salary break-down sheets for the Welfare Department be made available to the Board members, duly seconded.

Helen Bromley, 20th District, offered the amendment that this be made available by the Welfare Department since they should have submitted the break-down as previously requested, seconded by Babette Ransohoff, 15th District.

A vote was taken on the motion as amended, and PASSED.

Edward Wojciechowski, 2nd District, made the motion the meeting be adjourned until 8 p.m., May 17, 1950, seconded and PASSED.

MAY 17, 1950

An adjourned meeting of the Board of Representatives was held at the Burdick Junior High School, May 17, 1950. The meeting was called to order at 8:15 p.m. by President, Samuel F. Pierson.

A roll call was taken with the result of 36 present, 4 absent.

The President asked the Corporation Counsel if he was ready to give an opinion on the matters brought before him concerning the budget.

Corporation Counsel Wise reported he was prepared to give his report orally for the time being as to whether or not Section 616 has been fully complied with. "It is my understanding," he said "that the Capital Budget was not ready for the joint hearing of the Board of Finance and Board of Representatives. Predicated on that assumption, I would say that, under the Charter requirements, it is mandatory for the Board of Finance and Board of Representatives to hold a public hearing jointly on the budget proposed by the mayor and the budget of the Board of Education. And, of course, it is understandable why that should be--to give the public an opportunity to be heard. While it may be, and it is true, that the public will have no vote on the matter, they still have a right to be heard. In Section 612 the Mayor's budget is outlined--that is what the mayor's budget must consist of. And, in that section it provides... 'the mayor shall submit his budget to the board of finance. The budget shall include the proposed capital projects program and the proposed current operating expenses, the fixed charges and the estimated tax rates which will be necessary therefor'. Section 612 must be read together with Section 616, and if the budget then presented at the public hearing was not complete, in that it did not include in that particular capital projects program, it would be, in my opinion, that the opportunity that Section 616 gives to the public was not effected, and that the term in Section 616 'budgets' as proposed by the mayor and the Board of Education refers to the complete mayor's budget and since it was not complete in that respect, I would say that provisions of Section 616 have not been complied with.

Whether holding a public hearing on a partial budget is going to be questioned, is a question I cannot answer. Whether the time element has not been complied with from the first time they were submitted will raise a question, I cannot answer--and when I say I can't answer, I say it with the thought in mind that the requirements in a special act may be upheld in the non-compliance, or it may prove futile in its entirety. I was so concerned about it I took the liberty of calling counsel of the Bonding Company in Boston. He thought the question was so technical and so important that he hesitated to actually express even an opinion, and might even insist on legal action to clear it up. In the course of discussion with him, he felt definitely that the provisions of Section 616 were mandatory and that the budget presented at that time was not the budget contemplated by Section 616, and therefore there was not in effect a hearing of the Board on the budget.

MAY 17, 1950

"I asked him pointed questions, since the majority of these capital budget items will be paid for in bond issue and in the final analysis my opinion can not bind a bonding company, on the time element. He did not express an opinion on it except to feel there was some serious doubt. I am fully aware of the provision of the section of the charter which provides that no expenditure can be made unless an appropriation is made for it. He took a position, for the time being, that if everything is no good, then there may in fact be no money appropriated to carry out the function of the government. In that respect, I do not agree with him because in my opinion there are certain mandatory duties that must be performed by the municipality. Whether this Board or any other board makes appropriations is immaterial--the municipality will have the right to perform those mandatory obligations and pledge, as a result of that, the responsibility of the municipality. Some specific instances would be the school system, the operation of the police department, within certain confined limits the fire and health departments. Now, whether or not it is conceivable that whatever we may do may not be legally upheld as to those items and any other items that may be in that category, whether or not the Board of Finance recommends an appropriation; whether or not this Board recommends an appropriation, whether or not there is any appropriation made, the responsibility will fall on the municipality, and whatever may be reasonably necessary in an amount, considering the needs of the municipality and all its other departments to meet those obligations--the reasonable sum of money to carry out those duties--it will be an obligation the municipality will have to pay.

"I asked this gentleman: 'You are going to be called upon to certify the bonds--what do we do now?'

He replied: 'I am not too sure what to do, but hold the meeting as you suggested and carry on and do it within as reasonable dispatch as you can. After the hearing on the capital budget program comply with the other provisions of the charter and fix your tax rate.'

I asked: 'Would you then certify as to the bonds?'

He replied: 'I am not too sure what I would do.'

I asked: 'Would it be better that we play 100 per cent safe and to remove any possible question, have the matter taken care of through a special act of the legislature?'

He recommended that.

"I say this because it is from the legal end of it. It is possible we may find ourselves in a position of actually being enjoined from proceeding on capital projects. We may not be, for the time being, and the specific question asked of me--whether or not Section 616 has been complied with--my answer is it has not, and that I would at least urge for the time being to hold a joint meeting between the Board of Finance and the Board of Representatives on the capital projects program, and I would suggest too that formal action be taken by both boards to ratify and approve the action taken on the operating budget--whatever that may be worth."

"That is as far as I think any lawyer can state on the question."

Mr. Pierson said that on the strength of the Corporation Counsel's opinion, as verified by the counsel for the bonding company, he thought that the course open to us is to act on the operating budget and then after a joint public hearing, by resolution, ratify the action taken here before.

Mr. Wise said in his own opinion he thought a court would hesitate to try to find reasons to rule out a budget from a municipality rather than try to sustain it. That was why he was not so concerned with the time element, although it cannot be dismissed, as he was with the fact that the public be allowed a hearing.

MAY 12, 1950

The President asked Mr. Wise if he was ready to give the other opinions requested--whether an individual's salary could be reduced.

Mr. Wise replied: "I took the liberty of discussing this with Mr. Weathers to find out whether or not he has already promulgated rules that would classify positions as to classification of duties of position and pay of positions. He assured me^{he} that all set and ready to be enacted. I feel--and it may be against the provisions of the service provisions of the charter, and I think it is--that until such time as those rules are enacted, the responsible boards have the right to make that reduction. It may be that after this is classified that--if Mr. Weathers in his promulgation of his rules which are adopted under the provisions of the charter--if an individual has received a cut in a certain classification, that if it brings the pay to that of last year, that person's salary will have to be brought up. I still maintain my own legal position that until such time that that is done, I think the Board of Finance and the Board of Representatives have the right to make the reduction."

Mr. Wise also gave his opinion as to whether the distribution of a salary appropriation is up to the Board or the department head.

"Irrespective of any merit provision in the Charter, the proper boards of the municipality have the right, if it is bonified, to completely eliminate a job even though under the merit provision there is a provision for that particular job and even though the individual who is in that particular job may have been serving for a number of years. The charter isn't too clear, and it may be in Mr. Weather's proposed rules of creating a list that if such an individual is left out of that job, on reemployment he or she would be the person to get back. Irrespective of the charter provision, the Board of Representatives or the Board of Finance, for the sake of economy, if they think it is necessary, have that right. There is no legal uncertainty about that. The charter expects that the budget be itemized, and I would say that in submitting a budget it should be itemized because when you tie in with the section that deals with transfers, if it isn't itemized, how can you transfer one item to another?"

"As for the distribution of salaries by the department head, the inclination is to say 'yes'. If it is meant that the Board of Finance break down the items in submitting its action to you as to how they arrived at an item, I think they should. Even so, the copy submitted to the Board of Finance should be itemized. I think that in the absence of any already enacted merit provision, I would be inclined to think that actual distribution would be up to the head of department."

Mr. Pierson pointed out an example in the operating budget which would cover the question asked of the Corporation Counsel. He noted that a salary item in the Public Works Department was \$202,620.61 for 1949-50, the request for 1950-51 was \$255,319.26, and the Board of Finance approved \$178,989.73 which is below last year's appropriation, yet they didn't specify where those salaries would come out. The question: Is that the function of a head of department or the responsibility of the Board of Finance and/or the Board of Representatives to itemize the salary schedule?

Mr. Wise replied that he was inclined to feel that if money ultimately appropriated to the department is such that the department head feels he has to let someone go, then he was within his right to do so because he has got to live within the provisions.

Mr. Pierson: Then the department head has the responsibility?

Mr. Wise: Yes.

James Mulreed, 4th District, asked: "In the specific case that was just

MAY 17, 1950

mentioned, in the opinion of the Corporation Counsel, would it be perfectly proper for the head of the Public Works Department to maintain the same personnel and yet apply the amount granted by the Board of Finance to the department, which would result in a reduction in salaries?"

Mr. Wise: "I would be inclined to say that until such time as the merit system under the charter is in full swing--and it will be in full swing when all these rules are enacted and adopted, and among them would be a classification of position and classification of pay--I would be inclined to think that within the amount appropriated, the department head would have the right to maintain all employees on a reduced scale. When these are enacted, he will not have the right to reduce in pay any individual. How he would determine which one to let go would be governed by the rules. Under the merit provision, it doesn't bar a municipality from eliminating a position, otherwise there would be no grounds for economy. Our operating courts have decided in several cases that abolition of a position in the face of economy is the right of the municipality. I would be inclined to think that if there wasn't enough money appropriated to pay all help at the present level of pay, it would be the right of the head of the department to let one person go. If there are no rules yet, I would say that he would have the right to split the amount of money among the employees."

James Mulreed asked: "Has the Board of Finance or department the right to cut salaries. What I am concerned with is this: Is it permissible now for the Board of Finance to cut the salary item and retain the same number of employees at a reduced rate? How long can this go on until the rules become effective? Is this to reduce salaries in the City of Stamford?"

Mr. Wise: "That can go on until those rules are enacted--in my opinion. There is no provision for prohibiting a municipality from doing anything in its considered judgement--it may not be good--to reduce a requested appropriation as much as it wants to provided that the operation of the government can go on. The only reason you have a check now is because you have in the charter a so-called merit provision. Until such time as that provision is in operation, there is no check. So the thing to do is to enact those regulations and bring into operation the provisions of the merit system. It specifically provides in the merit section the establishment of rules. Once these are established, then I say you can't reduce from a department one or two individuals and reduce his or her pay, because the position that person holds will be classified by the director and given a schedule of pay. When that is done, then the Board of Finance or the Board of Representatives can not reduce the pay rate of a position. It doesn't mean the position will continue for life at that pay. If it turns out for economy, then I believe your Board and perhaps the Personnel Commission--that is not entirely too clear--and the Personnel Director will work out an across-the-board reduction, but never to single out a reduction. For the sake of economy it can always be done."

James Mulreed said he was very sorry to hear the Corporation Counsel render such an opinion because he felt that in the very near future the City will be faced with a law suit questioning the validity.

Patrick Scarella, 3rd District, said that under Section 734, the last sentence reads "The classified service shall include all other positions now existing or hereafter created."

Mr. Wise said he happens to feel that many law suits should be brought--free suits--because the charter is not clear. "I have never stated that I am positive I am right, but since I have got to make a rule I am making a rule. Just as Mr. Mulreed says, somebody will question it. I would recommend the question. I am

MAY 17 1950

seriously suggesting that such suits be brought to clear this up. As I see the situation now it is my opinion--and that is how I see the law, not as I want it to be--that there is nothing, irrespective of any merit provision of this or any other charter, that bars a municipality from eliminating a position entirely on the grounds that it is not necessary and for the sake of economy.

Stephen Kelly asked, in the event an incumbent was in the service of the city for several years and a cut was made, in the event the job classification increases the salary, would it be retroactive?

Mr. Wise: "No."

Stephen Kelly: "There is no compensation for the loss, then?"

Mr. Wise: "I am not too sure whether it couldn't be taken care of by an additional appropriation request."

James Mulreed, 4th District, asked if it would not be possible to get Mr. Weathers' opinion as to whether the Board of Finance has the right to reduce existing salaries.

Mr. Pierson said that such an opinion would be from a point of interest only, since the opinion of the Corporation Counsel is binding. He also mentioned that a letter had been received from Mr. Weathers regarding the matter. He read the letter to the members. In it Mr. Weathers said that in his opinion, reductions could be made until such time as the rules and regulations of the civil service commission were adopted.

Stephen Kelly asked: "In the case of an elected official that is serving a two year term where the salary is set, and that elective official appoints an assistant at a salary, do we have any right to cut either one of those salaries during the term of office?"

Mr. Wise: "I don't like to establish a practice, and I think it is to some extent perhaps not a good practice--to be asked questions from the floor in matters that involve/technical legal problems without having that question reduced in writing so that there will be no possible misunderstanding as to the question asked and the answer given. While I have so-called waived the charter requirements that all questions for opinions must be reduced in writing, I feel that to avoid any misunderstanding between the individuals asking the question and the office of the Corporation Counsel in answering that question, I think any questions should be reduced in writing and a reasonable time allowed for an answer in writing.

"There happens to be a section of the charter which covers that very point. If I got the import of your question--I believe if you refer to Section 402 that may be your answer."

John Cameron, 20th District, said, "When we want an official opinion it must be a legal opinion which is binding. I think it is up to us to give it to Mr. Wise in writing and he to give his opinion to us in writing. We appreciate the fact that he gives us the spot answers and I will consider them as advisory."

Michael Wofsey, 1st District: "I want to correct a statement which I made here last night. In connection with the consideration of the capital budget, I remarked that both the legal notice and the statement made by the chairman at the joint meeting referred only to the consideration of the operating budget. While the legal notice did go in the newspaper that way, the statement made by the Chairman was that the meeting was called under the terms of Section 616. I made the statement that he said it was on the operating budget. I would like the record to say that I withdraw my statement."

MAY 17, 1950

The President said that inasmuch as the Corporation Counsel ruled that a public hearing was necessary before we considered the mayor's proposed capital projects program, we would consider only the operating budget until after the hearing. He said the hearing would be called jointly by the Board of Finance and Board of Representatives.

Michael Wofsey, 1st District, MOVED that, subject to agreement by the Board of Finance, this Board set the hearing date for Monday, May 22, 1950, and that the advertisement be in by Friday, May 19th, seconded by Daniel Miller.

Leonard DeVita, 5th District, AMENDED the motion setting the date of the hearing as Tuesday, May 23, 1950, seconded by James Harrington, 9th District, and CARRIED.

The original motion as amended was voted and PASSED.

Patrick Hogan, 10th District, called attention to item 550.1 - Zoning Board and Zoning Board of Appeals, reducing the salary of the clerk from \$2,400 to \$2,100. Last year the salary was reduced from \$2,900 to \$2,400, he said, in spite of the provision in the Charter. The clerk, he explained, was given no hearing, and again this year a reduction was made with no reason. He therefore MOVED that until the salary is restored the entire budget be rejected, seconded by James Mulreed, 4th District.

Louise Seeley, 1st District, said she thoroughly disapproved of the motion. She pointed out that it was nonsense to turn back a budget amounting to millions of dollars for such a small item.

A standing vote was taken on the motion and it was DEFEATED.

Michael Wofsey, 1st District, asked if the tax rates as requested were available in order that the Board might be guided in the passing of the budget.

The Commissioner of Finance, Mr. Almond, said that he didn't have time to compute them, and was still working on it.

Louise Seeley, Chairman of the Fiscal Committee, said she had some unofficial figures, and would give them to the Board as suggested by John Cameron, a member of that Committee.

The tax rate on the mayor's budget as proposed for the three districts would be:

District A - 43.177
District B - 38.464
District C - 34.313

From figures which were available, Mrs. Seeley said she allocated the figures as approved by the Board of Finance and arrived at the following unofficial estimate:

District A - 37.6
District B - 33.4
District C - 29.0

She noted that these breakdowns did not include emergency appropriations which may have been made during the year and were to be included on this year's tax rate.

Registrar of Voters - Helen Bromley, 20th District, MOVED that the amount of item 100.1 as recommended by the Board of Finance be approved. She noted that the Fiscal Committee had recommended a reduction in salaries from \$9,701.97 to \$7,182.97. She said that last year, Page 39 of the minutes, she recommended a

MAY 17, 1950

cut of \$250 in the Registrar's budget since it was not an election year. During this fiscal year there would be two elections. She read salary figures of Registrars in other towns in Connecticut and noted that Stamford does not pay as much as these towns, some of which are larger than Stamford.

The motion was seconded and CARRIED.

Michael Wofsey, 1st District, MOVED that all other items in the Registrar's budget be approved as recommended by the Board of Finance, seconded and CARRIED.

Board of Selectmen - Clifford Waterbury, 4th District, MOVED the approval of \$1,100 as recommended by the Board of Finance, seconded and CARRIED.

Michael Wofsey, 1st District, suggested a motion that the Board withhold approval on the budget. He pointed out that the Board went through the same gesture last year and it did not have the effect he had hoped. He said he did not feel this Board should pass on items where it was felt the Board of Finance did not act correctly. He said he had in mind particularly cases where it was necessary for departments to return for additional appropriations. He said if we approve the action of the Board of Finance, and later on these departments come back and say we didn't guess right, we are exactly in the same position we criticize in others.

Louise Seeley, 1st District, read from the Charter the duties of the Board of Finance regarding the approval of the Budget. She said she thought the responsibility of the Board of Finance is stated very clearly and the responsibility of the Board of Representatives also stated clearly. Whether we approve or disapprove of the action of the Board of Finance in cutting, their responsibility is clear. If they made an error of judgement, there is no question where the error falls. It is not within the discretion of this Board, she said, to disapprove their cuts. It would be a great waste of time to hold up the budget for such things as that.

Michael Wofsey withdrew his motion.

Board of Representatives - Ralph Nau, 10th District, MOVED the approval of \$3,775, seconded and CARRIED.

Mayor's Office - William Adriance, 18th District, referring to Page 36 of the Minutes covering the June budget meeting in 1949, said he thought it was definitely out of order, having recommended an increase last year, if we take the recommendation of the Fiscal Committee that the salary be \$8,240 until April 15th, and then the new salary of \$10,000 go into effect. He therefore MOVED that the salary of the Mayor, as approved by the Board of Finance, be approved.

Louise Seeley, chairman of the Fiscal Committee, remarked that in comparison to other cities this size the salary of \$8,240 is fair. The City of Bridgeport, which is considerably larger than Stamford has a total cost of salaries in the mayor's office of \$10,768.00, she said. Also, the Municipal Review shows that in the cities of the United States where the population is between 50,000 and 100,000, the average salary of mayors is less than \$7,000--the top one is \$10,000. "If we are going to conduct this community in the future on the basis of the most good for the most people, and the most service to the most people for the money, we have got to figure very closely. It was on the basis of 'what is the job worth' that we made our recommendation."

The motion to approve of the mayor's salary at \$10,000 a year was seconded and CARRIED.

300

MAY 17 1950

Daniel Miller, 16th District, MOVED the items in the mayor's office budget be approved, seconded by Stephen Kelly, 12th District, and CARRIED.

Daniel Miller, 16th District, noted that the examination of general index (\$4,000) was deleted by the Board of Finance. This examination, he said, is required under State Statute.

Ferguson Library - Louise Seeley, Chairman of the Fiscal Committee which recommended the reduction of this item from \$137,732.00 to \$132,000.00 said she would like the librarian, Miss Alexander, to explain what the cut of \$5,732 would do to hamper the services of the library. The amount of \$132,000 is still some \$16,000 more than it was four years ago. Mrs. Seeley said she had tremendous admiration of the job the library does and the job the librarian does. However, the Committee thought the Board should consider this budget in the light of the other budgets.

Michael Wofsey, 1st District, MOVED, that Miss Alexander be allowed to explain, seconded by Michael Laureno, 3rd District, and CARRIED.

Miss Alexander explained the additional amount requested would cover additional staff for increased activity. One of the new staff members would be on the "bookmobile" which would take the place of branch libraries. Because of the new bookmobile more money is required for insurance and maintenance. Also, the Ferguson Library is doing the elementary school job; binding books for school libraries; of the 12 people on their staff, six go directly to schools. They buy the books, pay for them and send the staff into schools--paying their transportation. This year it will amount to \$30,000. The same applied to the film program by which they serve the entire school system and the community as well.

Babette Ransohoff, 15th District, pointed out that the Glenbrook Library had been closed, which means the additional service by the travelling library will make up for it. In previous years, the Union Memorial Church paid for this service.

Miss Alexander said the circulation in books alone has increased. In addition they have phonograph records and constant meetings. They have concerts and exhibitions, and are open from 9 a.m. to 9 p.m. They have to staff three floors and many desks and departments.

Patrick Hogan, 10th District, asked if people living in Darien enjoy the facilities of the travelling library.

Miss Alexander said they did not.

David Waterbury, 8th District, asked how many members there were on the Staff.

Miss Alexander said 40. During the war years they had a great many part-time people.

David Waterbury, 8th District, asked what the increase was in the past three or four years.

Miss Alexander said she did not know in number.

Sewell Corkran, 18th District, MOVED the amount of \$137,732.00 as recommended by the Board of Finance be approved, seconded by Babette Ransohoff, 15th District.

Louise Seeley, speaking in favor of the Fiscal Committee recommendation, said that basing the \$132,000. on the 70,000 population of Stamford, there would be a per capita cost of \$1.83. Based on a population of 165,000, Bridgeport has a per capita of \$1.84 per person.

MAY 17, 1950

Babette Ransohoff, 15th District, said she thought we had gone through the comparison between Stamford and Bridgeport before. The amount of service which is received should also be taken into consideration.

Leon Staples, 7th District, said a comparison with Bridgeport was unfortunate. He said he spent some time in the Bridgeport library and there is more going on in the Stamford Library in a day than goes on there in a week. That library is not being used as this one is. He said he thought we could find means of economizing without cutting this program.

Helen Bromley, 20th District, said she thought Miss Alexander brought out a point that there is quite a bit of this budget being used in the schools. She didn't think we should hamper the bookmobile operation since the library has been far sighted enough to put money aside to buy the new bookmobile without coming back for a larger appropriation.

Michael Wofsey, 1st District, speaking against the cut, said that last year the request was not for \$130,000, but for \$141,000. When that service was cut, certain services had to be cut out. The Stamford library is something we should be proud of; it is a living institution.

The motion as made by Mr. Corkran to approve the amount of \$137,732.00 as recommended by the Board of Finance was CARRIED.

Patriotic and Holiday Celebrations - Daniel Miller, 16th District, MOVED the amount of \$3,925. as recommended by the Fiscal Committee be approved, seconded by Babette Ransohoff, 15th District, and CARRIED.

Contributions to Other Civil Divisions - Louise Seeley said the recommendation of the Fiscal Committee was to reduce this item to \$55,000, which is \$85.00 more than granted last year. She said it was the thought of the Committee that we should not appropriate more for this years county tax. The figure might go down.

Helen Bromley, 20th District, MOVED the approval of \$55,000 as recommended by the Fiscal Committee, seconded and CARRIED.

Zoning Board and Zoning Board of Appeals - Stephen Kelly, 12th District, MOVED the approval of all items with the exception of 550.1 - Salaries.

Mr. Pierson said he knew there were several members who did not favor the cut in this salary item, however it was the opinion that we would approve such items since there was nothing this Board could do to increase them.

Stephen Kelly, 12th District, withdrew his motion.

Patrick Hogan, 10th District, MOVED the item 550.1 be approved at \$2100, seconded by Babette Ransohoff, 15th District.

Patrick Scarella, 3rd District, said that in view of the fact that the salary was cut last year from \$2900 to \$2400, and this year from \$2400 to \$2100, and also in view of the fact that it was for one specific cut, he MOVED the entire amount of \$2100 be disapproved.

James Mulreed, 4th District, asked if there was anyone available who could inform the Board if the reduction of the salary item to \$2100 meant an actual reduction in salary or if the figure was arrived at by the Board of Finance because of the pool of clerical help.

MAY 17, 1950

Fred White, Chairman of the Zoning Board of Appeals was in the audience and said it was his understanding it was a reduction in salary.

Joseph Zdanowicz, 13th District, in directing a question to the Corporation Counsel through the Chair, asked if, after Mr. Weathers sets up the classification for the salary of the secretary, she is classified at \$2400 or \$2900, could she receive a supplemental payment to her salary?

Mr. Wise, giving an "off-hand" opinion, said the salary could not be made retroactive except by an additional appropriation.

Louise Seeley, Chairman Fiscal Committee, said that Committee made an additional reduction in 550.4 from \$750 as recommended by the Board of Finance to \$500. She explained that upon checking the cards, she found the Zoning Board spent \$136.50 on that item, and that \$500 would be sufficient for the year.

Edward Hogan, 19th District, MOVED the figures of the Fiscal Committee be approved, seconded by Babette Ranshoff, 15th District, and CARRIED.

Tax Collector - Daniel Miller, 16th District, MOVED the amount of \$71,658.30 seconded and CARRIED.

Robert Shepherd, 9th District, noted that last year there was a recommendation that the appropriation in the tax collector's department be reduced in view of the decrease of work.

Louise Seeley, Chairman of the Fiscal Committee, said the tax collector has reduced the personnel in the department to some extent, and they are making a recommendation that when an employee leaves for any reason, he not be replaced and that the tax collector continue to reduce his staff in that way.

Board of Finance - Edward Hogan, 19th District, MOVED the approval of \$11,900, seconded, and CARRIED.

Louise Seeley explained that the \$1200 amount for advertising, printing, etc., was the cost of printing the budget, and was put in with the hope that we will print the budget this year.

Pensions - John Cook, 15th District, MOVED the amount of \$101,856.97 be approved, seconded and CARRIED.

Patrick Scarella, 3rd District, MOVED for a five minute recess, seconded and CARRIED. The meeting was resumed at 10:30 p.m.

Probate Court - Hunt Sutherland, 17th District, MOVED approval of the amount of \$2,850 as recommended by the Fiscal Committee, which included a reduction in Account 830.7 from \$530 to 0, seconded and CARRIED.

Louise Seeley explained that the \$530 janitor service was cut out since all janitor service was now under the Department of Public Works. She said this was discussed with the Judge of Probate who agreed the item should be eliminated.

Board of Education - Michael Wofsey, 1st District, MOVED the approval of Item 510 - Board of Education, amounting to \$2,050,000.00 be approved, seconded by Daniel Miller, and CARRIED.

Mr. Pierson noted the write-in for Custodians' Pension Fund amounting to \$4300 which was placed in the Board of Education break-down.

MAY 17 1950

15-B

Michael Wofsey, 1st District, MOVED the item of \$4,300 be removed and placed in Pension set up on Page 10 of the Budget, seconded by Daniel Miller, 16th District, and CARRIED.

Hunt Sutherland, 17th District, MOVED the budget of the Welfare Department as recommended by the Fiscal Committee be approved, seconded by Robert Shepherd, 9th District.

Michael Wofsey, 1st District, questioned Item 460.61, Cash Relief, for which the Board of Finance recommended \$140,000 and it was cut to \$125,000 by the Fiscal Committee. He asked if the Fiscal Committee - had taken into consideration the emergency appropriations granted during the past year.

Louise Seeley, Chairman, Fiscal Committee, said the cash relief was based on a careful study of case loads. This year there was a total of 664 individuals--a little more than twice what it was the year before. It was felt we should adopt the same position as we did last year. The papers say that employment is picking up. Cash relief should reflect employment. She said it would be much better to make a supplemental appropriation if needed, based on the cost per case, then give a blanket amount now.

James Mulreed, 4th District, said he did not think we should cut down the appropriation expecting to increase it later on, and asked if there was anyone from the Welfare Dept. who could offer some information.

Babette Ranschoff, Clerk, reported that the Welfare Department could not be represented.

John Cameron, 20th District, agreed with Mr. Mulreed.

William Adriance, 18th District, said it should be brought out again that the Board of Representatives requested the heads of departments attend the meetings. This year, he said, Mr. Bromley received no call and there was no consultation with the Welfare department whatsoever.

Helen Bromley, 20th District, said that under salaries we are allowing the same as last year. However, there is a \$200 salary increase which is a result of a contract and is mandatory, and she questioned as to how that would be handled. That particular salary goes up \$200 each year, automatically, until a certain salary is reached.

Louise Seeley, said she would like to point out that a reduction in the cash relief item has no effect whatever on the people on relief. She mentioned that Greenwich appropriates its money every month because nobody can foresee what the cost would be for a year, and she thought that a good practice. However, she said she thought it was a great mistake to overappropriate on that item.

James Mulreed, 4th District, asked for an explanation on some of the other items.

Mrs. Seeley said on Proper Burials, it was reduced from \$2400 to \$1000. The burials would cost just the same and it is no reflection on the kind of burials--it has to do with the number. This year, she said, we had \$605 spent at the end of 9 months. There is an unencumbered balance of \$795. It seems the requested amount could be reduced accordingly.

Other Town Charges--Because that is related to cash relief, and depends on the

MAY 17, 1950

case load.

Storage and Trucking Expense - Based on the balance of \$177 left after 9½ months. Telephone - The appropriation this year was \$750, and we recommended an additional \$270. The balance left after 9½ months of operation was still over \$200. Soldier Burial - This year we appropriated \$4400, and there still is \$2356--over half--left after 9½ months of operation.

The motion to approve the recommendations of the Fiscal Committee amounting to \$298,511.70 was voted and CARRIED. Hospitals - Michael Wofsey, 1st District, MOVED the amount of \$123,500 as approved by the Fiscal Committee be approved, seconded by Robert Shepherd.

James Mulreed, 4th District, asked for an explanation of the reduction of item 461C - Tubercular Sanatoria, from \$4000 to \$3500 by the Fiscal Committee.

Louise Seeley said this reduction was based on the case load in the tubercular sanatoria. The case load this year showed a number of eight people. Last year it was eleven. The amount appropriated this year was \$4,460. After 9½ months there was \$2,994.44 left.

The motion to approve the Fiscal Committee figures was CARRIED.

Health Department - Daniel Miller, 16th District, MOVED the approval of the Health Department budget as recommended by the Fiscal Committee, amounting to \$60,213.40, seconded by Michael Laureno, 3rd District.

Patrick Scarella, 3rd District, questioned the item of \$4,500 allowed for 3 automobiles.

Louise Seeley explained that the reduction to \$4,500 from \$6,000 was done on the basis that these are replacements. The turn-in value of the cars should be about \$500.

Michael Laureno, 3rd District, pointed out that even if the allowance for each turn-in car is \$400, there would still be enough money to buy new cars.

Walter Seely, 6th District, MOVED that Dr. Brown, Health Commissioner, be allowed to explain. The motion was seconded and CARRIED.

Dr. Brown said the turn-in value of the car will go into the general fund the same as any other income. He also brought out there would be a nurse for the former town section with no transportation available to her.

Hunt Sutherland, 17th District, asked if it would be out of order to place bids for the car with the provisions that a trade-in be accepted.

Mr. Pierson put the question to Mr. E. Downey, Comptroller, who said he thought it would be possible since it had been done before.

Michael Wofsey, 1st District, asked Dr. Brown if he could estimate the value of the cars to be traded.

Dr. Brown said there were two cars that were eight years old, and one nine years old. They were purchased for \$1,700 new, but he doubted if he could get \$500 for trade-in on the used cars in today's market.

Patrick Scarella, 3rd District, asked Dr. Brown if he were given \$4,500, could he get the three cars.

Dr. Brown said the answer would depend on whether the trade-in system could be used. It was his understanding, he said, that the money would go in to the general fund.

MAY 27, 1950

Louise Seeley said cars appropriated for in the operating budget are for replacements only. New cars are appropriated for in the capital budgets.

George Connors, 10th District, pointed out that one sanitary engineer had been allowed. He asked Dr. Brown how many years he was employed.

Dr. Brown said they had one engineer for 12 years, there were two up to 1½ years ago.

George Connors, 10th District, asked if someone else in the Health Department was now taking care of the job of the second engineer.

Dr. Brown said that everyone in the department takes care of his own department.

Michael Wofsey, 1st District, MOVED the motion to accept the figures of the Health Department be amended to read that automobile appropriation be changed from \$4,500 to \$5,000, seconded by John Cameron 20th District. The amendment was accepted by Daniel Miller who made the original motion, and CARRIED.

Police Department - Michael Wofsey, 1st District, MOVED the amount of \$470,207.18, be accepted, seconded by Daniel Miller, 16th District.

Robert Shepherd, 9th District, asked that in view of the contemplated renovation of the police headquarters, if it would be in order to reduce Acct. 430.2, rental of quarters, to \$1,500.

Michael Laureno, 3rd District, said it was a question of a lease. If the item was eliminated, the contract would be broken.

The motion was CARRIED.

Police Department Precinct #2 - Michael Wofsey, 1st District, MOVED approval of \$125,264.32, seconded by Daniel Miller.

George Lockwood, 14th District, pointed out that in the salary breakdown on Page 27, they asked for three special policemen at \$3,450, but the six new patrolmen were getting \$3,105.

Patrick Hogan, a member of the Fiscal Committee, said the Committee took the position that they would not reduce any salaries.

Michael Wofsey, 1st District, asked that Mr. Osterby, of the Board of Public Safety, be allowed to explain. It was MOVED, seconded, and passed.

Speaking to Mr. Osterby, he said it was his understanding that there were originally three special policemen receiving a salary of \$3,450, but Mr. Lockwood pointed out that one resigned recently. The roster showed there were a total of four special policemen.

Mr. Osterby said that a policeman did resign and was replaced with another man at a salary of \$3,105. The man was replaced through the civil service system. He noted that six patrolmen were granted instead of the 10 requested, and said that in the event the three special policemen were not granted, they would actually be getting only three new ones. The status of the special policemen, as to whether or not they are permanently employed in regard to the charter and civil service system, is being taken up with Mr. Weathers, since there is a question as to whether or not these men would qualify as regular policemen. The salary which was being paid to the position for the past two years was requested. In the event there is a replacement, and he is not qualified, for the \$3,450 salary, he

MAY 17, 1950

will start at \$3,105.

Michael Wofsey, 1st District, asked if replacements for the special officers who resigned would go in under the merit system.

Mr. Osterby said they would.

Stephen Kelly, 12th District, called attention to the appropriation for eight men used for school crossing listed at \$1.00 per hour. He said it was his understanding special policemen got \$1.15 per hour.

Mr. Osterby said these men are used only for school crossings. He also pointed out it was his understanding that there were negotiations as to what the minimum hourly wage was for special policemen.

Stephen Kelly, 12th District, said that he was told this matter should be straightened out by a local ordinance.

Mr. Osterby said the Board of Public Safety asked that an ordinance be passed, but Mr. Wise said it couldn't be done and they are still waiting for any further results.

Helen Peatt, 16th District, pointed out that sometimes custodians are used at school crossings, and asked if the amount was for them.

Mr. Osterby said in many cases, if a custodian is willing, they would be allowed to do so. It has been the practice to use custodians where they are willing to serve.

George Connors, 10th District, questioning the special policemen appropriation, said there were originally four. He asked if it was correct that there are now only two officers involved.

Mr. Osterby said that of the original four, one man was appointed to the regulars, and one resigned. There are two left and their status is under discussion with Mr. Weathers.

George Connors asked why then is the request for one at \$3,105 and three at \$3,450.

Mr. Osterby said that the \$3,105 is for the new replacement. The other officer left after the budget was submitted.

James Harrington, 9th District, asked how long these men have been working.

Mr. Osterby said the two men have been on the force for about eight years.

Michael Wofsey, 1st District, said that in order to be consistent with the present system, the item can be reduced by \$335, which would allow 2 officers at \$3,450 and 2 at \$3,105.

Mr. Osterby agreed.

Michael Wofsey, 1st District, offered an amendment to his original motion that the salary item, and the total, be reduced by \$335, seconded by Babette Ransohoff, 15th District, and CARRIED.

Dog Warden - Patrick Hogan, said that as a member of the Fiscal Committee he admits he made a mistake on the dog warden budget. Since the meeting of that Committee he learned that the dog warden is a full time job. He must have a telephone

MAY 17, 1950

and automobile. The city is reimbursed by the state (p. 47 of operating budget.) He MOVED that the salary be replaced at \$3,000, and the figures as submitted by the Board of Finance be approved, which was duly seconded.

James Mulreed, 4th District, said he thought this was important enough to warrant further study by the fiscal Committee.

Louise Seeley, Chairman of the Fiscal Committee, said that the matter was checked by the Committee and the information reported was that when a call is received to pick up a dead dog, the dog warden sends the Humane Society, and according to state law is paid \$3.00 a dog. The Committee figured, since there seemed to be no accounting, they would allow for the first 200 dogs. Mr. Hogan apparently received further information after that meeting.

Michael Laureno, a member of the Fiscal Committee, said this matter was made a special assignment for a member of the Committee--as the result of a complaint. This particular item developed into a salary item within the past two years. He explained the salary would depend on the number of dead dogs that were picked up. If he picked up 1,000 a year, he would do well. If he picked up more than that, the amount would be increased accordingly.

Patrick Hogan said that last year the mayor asked the dog warden what his fees amounted to, and he was told the average was somewhere around \$3,000. The mayor then asked the dog warden if he would accept taking the job on full time with that salary. The dog warden has to go after dogs that bite, and see that they are taken care of, and also destructive dogs.

Patrick Scarella, 3rd District, pointed out that when the city was being consolidated, they were trying to get away from the fee basis. He said he did not think the Fiscal Committee justified in making the cut.

James Mulreed 4th District, asked if Mr. Schwimmer was devoting full time to the job of dog warden.

Mr. Schwimmer said he was.

Michael Laureno, member of the Fiscal Committee, said there was a complaint made that Mr. Schwimmer was devoting his time to his tailor business in Greenwich. The point is, he said, do we want the payment to be on a salary basis or on a fee basis?

The motion by Mr. Hogan to accept the figures of the Board of Finance, amount to \$3,325, which included the wages of the dog warden on a salary basis, was CARRIED.

Stamford Fire Department #1 - Daniel Miller, 16th District, MOVED the appropriation of \$430,487.24, seconded by James Harrington, 9th District.

Robert Shepherd, 9th District, MOVED an amendment that the item of \$9,130 for two deputy chiefs be deleted to \$4,565. The original appropriation requested was for three, but reduced to two by the Board of Finance; seconded by Hunt Sutherland, 17th District.

Michael Laureno, 3rd District, pointed out that there were representatives of the fire department at the meeting who could confirm that the present deputy chiefs are now working 84 hours, and only with three could they go to 64 hours. The two, having been cut from three by the Board of Finance, will continue to work 84 hours per week.

MAY 17, 1950

Robert Shepherd, 9th District, said that he was not questioning the need of either two or three deputies, but that he wanted to give us an opportunity to assert our belief in the merit system. He pointed out the position of one deputy has not been filled in accordance with the opinion of the Corporation Counsel.

John Cameron suggested we stick to the budget and consider this as a financial item.

Michael Laureno MOVED we hear from a fire department representative, seconded by Helen Bromley, 20th District, and CARRIED.

Captain Richardson said as he understood the motion, it just concerned the question of deputy chiefs. The original request in the budget was for three, but he noted it had been deleted to two. As he understands it, it is an effort to hold the second appointment in abeyance until it can be taken care of by the civil service commissioner. There are two deputy chiefs actually working in the fire department now, he said. The third was asked to bring the working conditions to 56 hours per week. If the rest of the budget is approved, it will institute the 56 hour week. The deputy chief's office needs three men to carry out a 56 hour schedule which will be adopted the first of July.

George Lockwood: Has it been a practice in the past to have acting deputy chiefs?

Capt. Richardson: Yes. The second deputy chief has been acting in that capacity for a period of 3½ to 4 years.

Robt. Shepherd: How many captains are there now in the fire department?

Capt. Richardson: At the present time there are supposed to be nine. One of the captains was an acting deputy chief and received a salary of a captain to November 17th. From November 17th, he received the salary of a Deputy chief.

Mr. Pierson pointed out that there was no appropriation for an assistant clerk. He said it was the same thing that happened last year. The assistant clerk is actually a fireman acting in that capacity, but in making the budget he was not included in the firemen's appropriation and instead set up as a separate position. Since the item for assistant clerk was not allowed, there is no provision for him in the budget.

Robt. Shepherd: What is the situation with Captain's now? As of today are there nine in addition to the one acting as deputy chief?

Capt. Richardson: As of today it is entirely different as it will be when this appropriation is put into effect. There are now supposed to be nine captains, but there are only eight. The ninth will be promoted to deputy chief.

Robert Shepherd: Would that man be taken care of if this item is approved?

Capt. Richardson: Not if we are to maintain the 56 hour week. The only way would be to appropriate the money for the two deputies and the ten captains.

Jos. Zdanowicz: You said you need ten captains. I notice the Board of Finance only gave you nine.

Capt. Richardson: The only thing we can do is to make an acting captain and you will suffer as a result in the lack of efficiency.

Mr. Pierson said that he felt the amendment is made in an effort to account for our displeasure with a ruling of the Corporation Counsel and perhaps with the Board of Public Safety. That should be tested by law and not on the budget. He said he did think that it reduced this man who has been working in that capacity

MAY 17, 1950

for three years.

Patrick Scarella, 3rd District, said he would like to see the original motion withdrawn.

James Mulreed, 4th District, said he wanted to point out that we are appropriating money for a particular office or job, and not for the individual who is at present occupying that job. Our approval of the budget, he said, as approved by the Board of Finance, does not in the least weaken our position that the Corporation Counsel was wrong in delivering his ruling.

Helen Bromley, 20th District, asked that the amendment be voted on separately.

Robert Shepherd said he wanted to preface the withdrawal of the motion with the statement that "in our records and in the opinion that was handed to this Board, no statement was made by the Corporation Counsel that the appointment was permanent. That was the specific question asked and it was not given. If the Board desires, we can vote on the amendment separately".

Michael Wofsey, 1st District, asked if possibly the question of not allowing for an assistant clerk wasn't one of those situations where a lump sum in salaries could be used.

Louise Seeley said she had a roster of the fire department on all jobs and the clerk is classed as a fireman. Nobody is going to lose a job, she said.

Mr. Pierson said by eliminating him as a fireman in that appropriation and setting up the job of assistant clerk, it actually would eliminate one fireman.

The amendment by Mr. Shepherd to cut the appropriation of the deputy chiefs to one-half the amount recommended by the Board of Finance was seconded by Joseph Zdanowicz, 13th District, and the amendment was DEFEATED by standing vote.

The original motion by Daniel Miller that the appropriation for the fire department #1, as recommended by the Board of Finance be approved was PASSED.

A motion was made to adjourn until 8 p.m., Thursday, May 18, 1950, duly seconded and CARRIED.

The meeting was adjourned at 12:10 a.m.

MAY 18, 1950

An adjourned meeting of the Board of Representatives was held at the Burdick Junior High School, at 8 p.m. on Thursday, May 18, 1950. The meeting was called to order by the President, Mr. Samuel F. Pierson, at 8:15 p.m. Roll call was taken with 32 present, 8 absent.

Absent members were:

John Gacher, 2nd District
Clifford Waterbury, 4th District
Stearns Goodman, 7th District
Catherine Cleary, 8th District
George Connors, 10th District
Eugene Kaminski, 13th District
George Lockwood, 14th District
Vito Longo, 14th District